



ANALYSIS

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1959, No. 84

An Act to amend the Rabbits Act 1955

[22 October 1959]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Rabbits Amendment Act 1959, and shall be read together with and deemed part of the Rabbits Act 1955 (hereinafter referred to as the principal Act).

2. Power to destroy hares and wallabies—The principal Act is hereby amended by repealing section fifty-five, and substituting the following section:

“55. All powers conferred on Boards by this Act for the purpose of destroying rabbits may in like manner be exercised by the Board—

“(a) For the purpose of destroying hares:

“(b) With the approval of the Minister given on the recommendation of the Council, for the purpose of destroying wallabies.”

3. Rabbit Destruction Council—Section three of the principal Act is hereby amended by inserting, after subsection two, the following subsection:

“(2A) Notwithstanding anything to the contrary in this section, of the members appointed under paragraphs (a) and (b) of subsection two of this section who are in office at the commencement of this subsection,—

“(a) The term of one of the members appointed under paragraph (a) of the said subsection two (to be determined by lot) shall expire with the fifth day of April, nineteen hundred and sixty-two, and the term of the other member so appointed shall expire with the fifth day of April, nineteen hundred and sixty-three:

“(b) The term of one of the members appointed under paragraph (b) of the said subsection two (to be determined by lot) shall expire with the fifth day of April, nineteen hundred and sixty-two, the term of another member so appointed (to be determined by lot) shall expire with the fifth day of October, nineteen hundred and sixty-two, and the term of the remaining member so appointed shall expire with the fifth day of April, nineteen hundred and sixty-three.”

4. Functions of Council—Section ten of the principal Act is hereby amended by inserting in paragraph (b) of subsection one, after the word “control”, the words “and eradication”.

5. Additional members of Boards in certain cases—Section twenty-five of the principal Act is hereby amended by omitting from subsection one the words “two hundred thousand”, and substituting the words “twenty thousand”.

6. Compilation of ratepayers list—Section twenty-six of the principal Act is hereby amended by inserting in subsection three, after the words “is situated”, the words “or alternatively from the district valuation roll prepared under section eight of the Valuation of Land Act 1951 for every county in which any part of the district is situated”.

7. Electors and voting powers—Section thirty-three of the principal Act is hereby amended by repealing subsection three, and substituting the following subsections:

“(3) In the case of a rabbit district in which the rates are levied on the basis of the acreage of the land occupied by the

ratepayer, the number of votes exercisable by a ratepayer shall be determined in accordance with the following provisions:

- “(a) Where the whole of the rabbit district is contained within a district within the meaning of section thirty-nine of the Rating Act 1925 (in this section referred to as a local authority district), an elector shall have the same number of votes, based on the rateable value of the land, as he could exercise in respect of the same qualifications at an election of a member or members of the local authority of the local authority district in which the land is situated:
- “(b) Where the rabbit district includes more than one, or parts of more than one, local authority district, if the system of rating is the same in each such local authority district an elector shall have the same number of votes, based on the rateable value of the land, as he could exercise in respect of the same qualifications at an election of a member or members of the local authority of the local authority district in which the land is situated:
- “(c) If the system of rating in force in every such local authority district is not the same, the Board shall, by resolution, decide which of the systems so in force shall be adopted for the purposes of this section, and an elector shall have the same number of votes, based on the rateable value of the land, as he could exercise in respect of the same qualifications at an election of a member or members of the local authority of the local authority district in which the land occupied by the elector is situated if the system of rating so adopted was in force in that district.
- “(3A) In the case of a rabbit district where the rates are levied on the basis of the rateable value of the land occupied by the ratepayer, an elector shall have the same number of votes, based on the rateable value of his land ascertained in accordance with the system of rating determined by the Board under the Rating Act 1925 for the making and levying of rates in the rabbit district, as he could exercise in respect of an election of a member or members of the local authority of the local authority district in which the land is situated under the system of rating so determined.
- “(3B) No member shall have more than three votes under subsection three or subsection three A of this section in connection with any rabbit district.”

8. Power of Board to sell, lease, etc.—The principal Act is hereby further amended by inserting, after section fifty-four, the following section: REP. 1961
No. 5.

“54A. The Board may if it thinks fit sell, transfer, grant on lease, let out on hire, or otherwise dispose of any of its real or personal property.”

9. Subsidies in respect of new districts and areas added to districts—Section seventy-six of the principal Act is hereby amended by inserting, after subsection four, the following subsections:

“(4A) Where, during any financial year, any area is added to a rabbit district by Order in Council made under section fifteen or section eighteen of this Act, the Board may apply to the Minister for payment of a subsidy in anticipation of the general rates receivable in that year from ratepayers in the added area, and on receipt by the Minister of the application, a sum not exceeding seventy-five per cent of the amount estimated to be so received in that year from the ratepayers may forthwith be advanced to the Board out of the Consolidated Fund. AM.D. 1961
No. 5.

“(4B) Where any area is constituted a rabbit district by Order in Council made under section fourteen or section eighteen of this Act, the Board may apply to the Minister for payment of a subsidy in anticipation of the general rates receivable from ratepayers in the district during the balance of the financial year ending with the thirty-first day of March next following the date of the constitution of the district, and on receipt by the Minister of the application, a sum not exceeding fifty per cent of the amount estimated to be so received in that year from the ratepayers may forthwith be advanced to the Board out of the Consolidated Fund.”

10. Keeping live rabbits—(1) The principal Act is hereby amended by repealing section one hundred and six, and substituting the following section:

“106. (1) No person shall keep any live rabbit except pursuant to a permit granted under this section and in accordance with the conditions specified in the permit.

“(2) The Minister may, on application made to him for the purpose, grant to the controlling authority of any hospital, zoo, or research centre, a permit to keep a live rabbit.

“(3) The Minister may refuse to grant a permit under this section, or may grant a permit for such period and subject to such conditions as he thinks fit.

“(4) Any permit under this section may, by notice in writing, be at any time revoked by the Minister.

“(5) Any Inspector, or any person authorised by the Minister, may enter at all reasonable times on the land or premises of the holder of a permit under this section and inspect any part of the land or premises for the purpose of ascertaining whether the conditions of the permit are being complied with.

“(6) Every person commits an offence against this Act who acts in contravention of any provision of this section.”

(2) All permits granted under section one hundred and six of the principal Act at any time before the commencement of this Act shall, at the expiration of four years from the date of the commencement of this Act, be deemed to be cancelled.